

**REPORT OF THE BOARD OF STEWARDS  
STATE OF CALIFORNIA  
ARNOLD SCHWARZENEGGER, GOVERNOR**

**To the California Horse Racing Board**

Honorable Richard B. Shapiro, Chairman  
Honorable John C. Harris, vice Chairman  
Honorable John W. Amerman, Member  
Honorable John Andreini, Member  
Honorable Jesse H. Choper, Member  
Honorable Marie G. Moretti, Member  
Honorable Jerry Moss, Member  
Ingrid Fermin, Executive Director  
Richard "Bon" Smith, Assistant Executive Director

**BOARD OF STEWARDS**

Randy Winick- Darrel McHargue – Dennis Nevin

Report for the period Friday October 5- Monday October 8, 2007

10/5 FRIDAY

(1) CAL-BRED REPORT

Purse\$ 19,000.00 for Cal-Bred Three Year Olds and Upward, claiming \$16,000 at six furlongs. The race was called off with three entries.

(2) SILVA RULING

Ruling # 30

Jockey Carlos Silva, who rode BENSON ROAD in the seventh race at Bay Meadows Race Course on September 30, 2007, is suspended seven (7) racing days (October 12, 13, 14, 17, 18, 19, and 20, 2007) for altering course without sufficient clearance and causing interference down the backstretch, resulting in the disqualification of his mount from third to eighth. A violation of California Horse Racing Board rule #1699 (d) & (f) (Riding Rules-Careless Riding).

The ruling listed above was issued after Mr. Silva reviewed the race with the Stewards and acknowledged guilt. Seven days were issued since this is Mr. Silva's third riding infraction since the start of this meet.

(3) NEW INVESTIGATOR CHARLES SMITH

California Horse Racing Board investigator Bob Gai brought recently hired investigator Charles Smith in to meet the Stewards. Mr. Smith is a former police officer for the state and he worked for the last ten years for Developmental Services.

(4) DECLARATIONS – REFUNDS

1<sup>st</sup> race #2 SLEW MAN SLEW  
vet-sick, Dr. Isbell D.V.M.

(Tr. Doug O'Neill)  
Refunds \$ 218.00

2<sup>nd</sup> race #2 MERLINS APPRENTICE  
vet-sick, Dr. Isbell D.V.M.

(Tr. Armando Lage)  
Refunds \$ 127.00

The declarations of the two horses listed above reduced the fields in both races to four wagering interests which resulted in the cancellation and refund of the show pools.

(5) INQUIRY

Following the running of the 5<sup>th</sup> race the inquiry sign was posted for a review of the start of #3 CANTRICK'S FOLLY (4<sup>TH</sup> place – Russell Baze). After reviewing the recorded views, the numbers posted were made official.

The tapes show #3 turn its head just before the gates opened and fail to break with the field. The gates opened properly therefore #3 was an official starter.

(6) ATTENDANCE – HANDLE

On Track Attendance	4,931
N-Cal Attendance	7,662
On Track Handle	\$414,022.50
N-Cal Handle	\$1,272,538.60

10/6 SATURDAY

(1) CAL-BRED REPORT

Purse \$10,000.00 for Cal-Bred Fillies and Mares Three Years Olds and Upward, claiming \$5,000.00 at one mile and one sixteenth. The race was called off with three entries.

(2) TAYLOR RULING

Ruling # 31

Van driver Doug Taylor is fined the sum of twenty five dollars (\$25.00) for not adhering to stable area parking regulations, a violation of California Horse Racing Board rule #1928 (Fire Regulations – Parking in a Fire Lane) on September 27, 2007 at Bay Meadows Race Course.

The above ruling was issued after Mr. Taylor visited the Stewards and pled guilty.

(3) KAENEL RULING

Ruling #32

Jockey Kyle Kaenel, who rode FREEDOMS CAT in the third race at Bay Meadows Race Course on October 5, 2007 is suspended five (5) racing days (October 13, 14,17,18 and 19, 2007) for altering his course without sufficient clearance down the backstretch and causing interference. A violation of California Horse Racing Board rule # 1699 (d) & (f) (Riding Rules – Careless Riding).

The preceding ruling was issued after Mr. Kaenel reviewed the race in question and acknowledged guilt. The circumstances with this infraction mirrors his last set of days and it appears Mr. Kaenel is of the belief that it is okay to force a horse off it's path and place that rival in tight quarters. Obviously the Stewards disagree.

(4) FLORES HEARING

A hearing was held today for jockey Pedro Flores. Present in addition to Stewards Randy Winick, Dennis Nevin, Darrel McHargue, were Mr. Flores, Mariela Zskubl (Mr. Flores wife), Winners Foundation representative Armando Calero and California Horse Racing Board investigators Bob Gai and Charles Smith. The hearing was recorded by Christine Niccoli.

Mr. Flores was cited for alleged violation of California Horse Racing Board rules 1485 (d) (License Subject to Condition and Agreement) and 1874 (Disorderly Conduct) after he tested positive for Amphetamine and Methamphetamine.

After hearing the testimony and receiving the documentation into the record, the record was closed and submitted for decision.

(5) DECLARATIONS – REFUNDS

4 <sup>th</sup> race #2 RILEYS RAINBOW vet-sick, Dr. Isbell D.V.M.	(Tr. DennisWard) Refunds \$ 360.00
8 <sup>th</sup> race # 6 TUCKER'S TUNE Stake- Stewards	(Tr. Bob Grudziewski) Refunds \$ 143.00

#7 SHERMEEN  
Stake- Stewards

(Tr.Patrick Gallagher)  
Refunds \$1,023.00

(6) INQUIRY

Following the running of the 8<sup>th</sup> race the inquiry sign was posted for a Stewards review of severe interference at the head of the stretch involving #5 GENTLE CHARMER (7<sup>th</sup> place – Carlos Silva) and #8 LIVE LIFE (5<sup>th</sup> place – Chad Schvaneveldt).

After a thorough review, the order of finish as posted was made official. The recorded views of the race show jockey Silva alter his mounts course sharply toward the outside, catch the heels of the horse he was attempting to get around, stumble into #8 and severely impede that rival. #8 placed in front of #5 therefore no change in placing was necessary.

(7) ATTENDANCE- HANDLE

On Track Attendance	5,106
N-Cal Attendance	8,168
On Track Handle	\$775,535.50
N-Cal Handle	\$2,124,105.50

10/7 SUNDAY

(1) CAL-BRED REPORT

Purse \$11,000.00 for Cal-Bred Three Year Olds and Upward, claiming prince \$6,250.00 at six furlongs. The race was called off with five entries.

(2) SILVA RULING

Ruling #33

Jockey Carlos Silva, who rode GENTLE CHARMER in the eighth race at Bay Meadows Race Course on October 6, 2007, is suspended ten (10) racing days (October 21, 24, 25, 26, 27, 28, 31, November 1, 2, 3) and prohibited from participating in designated races during the term of this suspension, for altering course and causing interference approaching the three sixteenth pole. A violation of California Horse Racing Board rule # 1699 (d) & (f) (Riding Rules – Careless Riding).

The ruling listed above was issued after Mr. Silva, who was regretful and embarrassed waived film review and stated he made a dumb mistake. This ruling suspension is Mr. Silva's fourth suspension for the meet, therefore ten days were issued and the provision to ride in designated races was withdrawn.

(3) DECLARATIONS – REFUNDS

4 <sup>th</sup> race #6 TWO THIRDS VICTORY	(Tr.Francis Henderson)
vet-sick, Dr. Isbell D.V.M.	Refunds \$ 36.00

7 <sup>th</sup> race #6 BEAR CREEK	(Tr. Peter Miller)
vet-sick, Dr. Isbell D.V.M.	Refunds \$179.00

(4) INQUIRY – START

The Stewards posted the inquiry sign following the running of the 3<sup>rd</sup> race for a review of the start of #2 SCRUMPY (5<sup>th</sup> place – Luis Martinez). After talking with the starter (Chuck Burkes) and reviewing the recorded views, #2 SCRUMPY was determined to be an official starter.

The tapes show #2 causes its own problems after rearing just prior to the opening of the gates, unseat jockey Luis Martinez. The starting gate functioned properly therefore #2 SCRUMPY was a starter. The tapes also show the horse thrashing about while trying to flip over, with the assistant starter doing a stellar job keeping the horse from flipping over and causing injury to itself and the rider.

(5) INQUIRY – DISQUALIFICATION

Following the running of the 7<sup>th</sup> race the inquiry sign was posted for a Stewards review of an incident soon after the start involving #5 GOOD MAN DAN (3<sup>rd</sup> – Alex Bisoño) #4 REMEMBER BOFFI (1<sup>st</sup> place – Roberto Gonzalez) #3 FORT FUNSTON (5<sup>th</sup> place – Russell Baze) and #1 BRADFORD FALLS (6<sup>th</sup> place – Roberto Gonzalez).

After talking to the riders involved and reviewing the tapes of the race #5 was disqualified from third to last.

The tapes show #5 angle in toward the rail forcing a chain reaction shift of #4, #3 and #1 which cause #3 and #1 to lose ground and position. In the Steward's opinion the interference cost those rivals chances of better placings, thus the disqualification.

(6) ATTENDANCE- HANDLE

On Track Attendance	2,398
N-Cal Attendance	5,641
On Track Handle	\$606,623.00
N-Cal Handle	\$1,799,939.00

10/8 MONDAY

(1) CAL-BRED REPORT

Purse \$14,000.00 for Cal-Bred Fillies and Mares Three Years Old and Upward claiming price \$12,500.00 at one mile. The race was called off with one entry.

(2) APPRENTICE JOSE MARTINEZ-CAMPOS RULING

Ruling # 34

Apprentice jockey Jose Martinez-Campos who rode TOUCH OF IRELAND in the fifth race at Bay Meadows Race Course on October 7, 2007, is suspended five (5) racing days (October 17, 18, 19, 20 and 21, 2007) for failing to make the proper effort to maintain a straight course in the stretch and causing interference, resulting in the disqualification of his mount from sixth to seventh. A violation of California Horse Racing Board rule # 1699 (d) & (f) (Riding Rules – Careless Riding).

The preceding ruling was issued after Mr. Campos met with the Stewards, reviewed the race and failed to offer a reason that would place blame anywhere other than himself.

(3) BISONO RULING

Ruling # 35

Jockey Alex Bisono, who ride GOOD MAN DAN in the seventh race at Bay Meadows Race Course on October 7, 2007, is suspended three (3) racing days (October 17, 18, and 19,2007) for altering course without sufficient clearance, causing interference soon after the start, resulting in the disqualification of his mount from third to sixth. A violation of California Horse Racing Board rule #1699 (d) & (f) (Riding Rules- Careless Riding).

The ruling listed above was issued after Mr. Bisono reviewed the race and acknowledged guilt.

(4) FLORES RULING

Ruling # 36

Jockey Pedro Saldana Flores is hereby suspended one-hundred and twenty (120) days, retroactive from September 14, 2007 through February 11, 2008 and remains on probation for the term of his license (12/31/2008) for violation of California Horse Racing Board rules 1485 (d) (License Subject to Conditions and Agreements) and # 1874 (Disorderly Conduct: Illegal Substances – Amphetamine and Methamphetamine) on September 15, 2007.

Prior to the reinstatement of his license privileges, Pedro S. Flores must show proof of completion of a minimum ninety (90) day in-house rehabilitation program acceptable to the Board of Stewards.

As conditions of probation Mr. Flores must abide by the terms of a testing agreement with the California Horse Racing Board and the terms of a contract with the winners Foundation. Any violations of the terms of this probation shall be grounds for the immediate suspension of Mr. Flores license privileges.

During the term of this suspension all licenses and license privileges of Pedro S. Flores are suspended and pursuant to California Horse



Racing Board rule #1528 (Jurisdiction of Stewards) subject is denied access to all premises within this jurisdiction.

The ruling listed above was issued after the Stewards reviewed the testimony and documents presented at the hearing.

(5) DECLARATIONS – REFUNDS

3<sup>rd</sup> race #5 REEL EVENT  
vet- sick, Dr. Isbell D.V.M.

(Tr. Monty Meier)  
Refunds \$ 380.00

6<sup>th</sup> race # 8 MADISON'S LADY  
vet- lame, Dr. Forest Franklin, D.V.M.

(Tr. Monte Gomes)  
Refunds \$ 49,470.20

(6) ATTENDANCE - HANDLE

On Track Attendance	1,851
N-Cal Attendance	4,334
On Track Handle	\$488,265.60
N-Cal Handle	\$1,416,136.70